

**ENTERED**

July 13, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ANGELA PINTO,

Plaintiff,

VS.

GERARDO GOVEA; dba TAQUERIA  
GOVEA,

Defendants.

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CIVIL ACTION NO. 4:16-CV-01236

**OPINION AND ORDER**

**ADOPTING MAGISTRATE JUDGE’S MEMORANDUM AND RECOMMENDATION**

Pending before the Court in the above-referenced proceeding is Defendant Taqueria Govea’s Motion for Summary Judgment, Doc. 19, in which Defendant argues that Plaintiff is not covered by the Fair Labor Standards Act (“FLSA”). Fair Labor Standards Act, 29 U.S.C. § 201 et seq., and Judge Stacy’s Memorandum and Recommendation that the Court grant the Taqueria Govea’s Motion, Doc. 23. Plaintiff Angela Pinto (“Pinto”) did not object to the Motion or the Memorandum and Recommendation. Thus, under Local Rule 7.4, the Motion and Memorandum and Recommendation are deemed unopposed.


Upon review, the Court agrees with the Magistrate Judge’s conclusion that Pinto is not entitled to coverage under the FLSA and that the Court should decline to exercise supplemental jurisdiction over the remaining state law claims. Doc. 23 at 6, 9. Accordingly, the Court hereby

**ORDERS** that the Memorandum and Recommendation, Doc. 23, is **ADOPTED**. Defendant Taqueria Govea’s Motion for Summary Judgment, Doc. 19, is **GRANTED**. The Court further

**ORDERS** that Pinto’s FLSA claim be **DISMISSED WITH PREJUDICE** and the

remaining state law claims be DISMISSED WITHOUT PREJUDICE. A final judgment will issue by separate order.

SIGNED at Houston, Texas, this 13th day of July, 2018.

A handwritten signature in black ink, appearing to read "Melinda Harmon", is written over a horizontal line.

MELINDA HARMON  
UNITED STATES DISTRICT JUDGE